

REMARKS

The Office Action mailed 4 February 2009, has been received and its contents carefully noted. The pending claims, claims 1-7, 9, 11-16 and 18, were rejected, claim 19 was objected to and claim 17 was found allowable over the art. By this Response, claims 1, 4-6, 11-13, 15, 16, and 19 have been amended and claims 8, 10, and 17 are canceled. Support may be found in the specification and the claims as originally filed.

For example, claim 1 has been amended such that the “modified” lysis buffer comprises guanidinium isothiocyanate. Support may be found in paragraph [0038] of the published application. Claim 1 has been amended such that the “modified” method step uses --a buffer comprising sodium chloride-- instead. Support may be found in paragraph [0039] of the published application. Claim 2 has been canceled as being redundant to claim 1, as amended.

No statutory new matter has been added. Therefore, reconsideration and entry of the claims, as amended, are respectfully requested.

Claim Objections

By this Response, claim 5 is amended to insert the word --is-- as recommended by the Examiner, and claim 17 has been canceled as being a substantial duplicate of claim 19 (Applicants chose to cancel claim 19 instead of claim 17 as claim 19 could be construed to be broader in scope as it is not limited to a kit).

Applicants respectfully submit that the claims, as amended, obviate the claim objections. Therefore, the objections to the claims should properly be withdrawn.

Rejection under 35 U.S.C. 112, second paragraph

The Examiner rejected the claims under 35 U.S.C. 112, second paragraph, as being indefinite.

Applicants respectfully urge that the claims, as amended, are clear and definite and the rejection under 35 U.S.C. 112, second paragraph, should properly be withdrawn.

Request for Interview

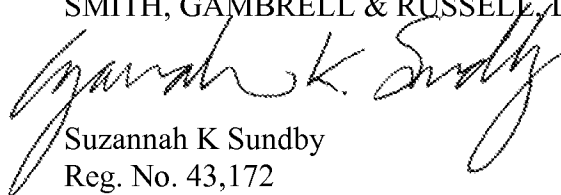
Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 02-4300, Attorney Docket No. 041144.010.**

Respectfully submitted,
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